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TO 22 JUN 2000

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

LEA 32 805

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**09/582246**

INTERNATIONAL APPLICATION NO. PCT/EP98/08216	INTERNATIONAL FILING DATE 22 December 1998 (22.12.98)	PRIORITY DATE CLAIMED 24 December 1997 (24.12.97)
TITLE OF INVENTION REGULATORY DNA SEQUENCES OF THE HUMAN CATALYTIC KELOMERASE SUB-UNIT GENE, DIAGNOSTIC AND THERAPEUTIC USE THEREOF		
APPLICANT(S) FOR DO/EO/US HAGEN, Gustav; WICK, Maresa; and ZUBOV, Dmitry		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2.  This is a **SECOND or SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3.  This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(l).
4.  A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5.  A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  has been transmitted by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
- A translation of the International Application into English (35 U.S.C. 371(c)(2)).
- Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a.  are transmitted herewith (required only if not transmitted by the International Bureau).
  - b.  have been transmitted by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
- A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 16. below concern document(s) or information included:**

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.  A **FIRST** preliminary amendment.  
 A **SECOND or SUBSEQUENT** preliminary amendment.
14.  A substitute specification.
15.  A change of power of attorney and/or address letter.
16.  Other items or information:
  - 1) Certification of Mailing under 37 C.F.R. 1.10;
  - 2) Transmittal of Information Disclosure Statement;
  - 3) Information Disclosure Citation (Modified Form PTO-1449);
  - 4) References cited; and
  - 5) Return Receipt Post Card.

BEST AVAILABLE COPY

U.S. APPLICATION NO. (if known see 31 CFR 1.5)

INTERNATIONAL APPLICATION NO.  
PCT/EP98/08216ATTORNEY'S DOCKET NUMBER  
LEA 32 805

09/582246

17.  The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5))**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO ..... \$970.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... \$840.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but  
international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$760.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
but all claims did not satisfy provisions of PCT Article 33(l)-(4) ..... \$670.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$96.00

CALCULATIONS PTO USE ONLY

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

\$ 840.00

Surcharge of \$130.00 for furnishing the oath or declaration later than  20  30 months from the earliest claimed priority date (37 CFR 1.492(c)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	12 -20 =	0	X \$18.00	\$ 00.00
Independent claims	9 -3 =	6	X \$78.00	\$ 468.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$260.00	\$ 0.00
				<b>TOTAL OF ABOVE CALCULATIONS =</b> \$ 1,308.00
				Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28). \$ 0.00
				<b>SUBTOTAL =</b> \$ 1,308.00
				Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). + \$
				<b>TOTAL NATIONAL FEE =</b> \$ 1,308.00
				Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$ 0.00
				<b>TOTAL FEES ENCLOSED =</b> \$ 1,308.00
				Amount to be: \$ refunded charged \$

a.  A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.

b.  Please charge my Deposit Account No. 13-3372 in the amount of \$ 1,308.00 to cover the above fees. A duplicate copy of this sheet is enclosed.

c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-3372. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO

Jeffrey M. Greenman  
Vice President, Patents and Licensing  
BAYER CORPORATION  
400 Morgan Lane  
West Haven, CT 06516  
US

SIGNATURE

Jerrie L. Chiu

NAME

41,670

REGISTRATION NUMBER

09/582246

534 Rec'd PCT/PTC 22 JUN 2000  
PATENT

Attorney's Docket No. Le A 32 805

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hagen, et al.

Serial No.: National Stage Filing of PCT/EP98/08216

Filed: 22 June 2000

For: Regulatory DNA Sequences of the Human Catalytic Telomerase Sub-unit Gene, Diagnostic and Therapeutic Use Thereof

**BOX PCT**  
**Assistant Commissioner for Patents**  
**Washington, D.C. 20231**

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

I hereby certify that the *attached* correspondence comprising:

- Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing under 35 U.S.C. 371 [IN DUPLICATE];
- A First Preliminary Amendment;
- Combined Declaration and Power of Attorney (35 U.S.C. 371(c)(4));
- English translation of the International Application (35 U.S.C. 371(c)(2));
- Copy of the International Application as filed (35 U.S.C. 371(c)(2));
- Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98 consisting of Transmittal of Information Disclosure Statement, Information Disclosure Citation (Modified Form PTO-1449), and copies of references cited therein; and
- Return Receipt Post Card.

is, on the date shown below, being deposited with the United States Postal Service, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EF292675302US, addressed to:

*Box PCT*  
**Assistant Commissioner for Patents**  
**Washington, D.C. 20231**

22 June 2000

Date

  
Signature of Person Certifying / Lauren Fitzgerald